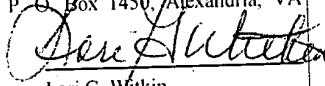


IAP13 Rec'd PCT/PTO 12 FEB 2007

Docket No.: P/63988

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV 889 672 903 US first class mail in an envelope addressed to: MS: PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
February 12, 2007
(date) 
Lori G. Witkin

In re: Application of : Simone SUGLIANI, et al.
Serial No. : 10/554,193
Deposited : October 21, 2005
For : COUNTER-PUMPED DISTRIBUTED RAMAN
AMPLIFICATION IN WAVELENGTH DIVISION
MULTIPLEX OPTICAL COMMUNICATION SYSTEMS

New York, New York
February 10, 2007

PETITION UNDER RULE 47(a)

MS: Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

There are three (3) inventors for the invention described in the above-referenced application. Giovanni SACCHI and Fabrizio DIPASQUALE signed the enclosed Declaration and Power of Attorney.

The first listed inventor, Simone SUGLIANI, was initially sent the application and with an attached declaration and power of attorney, along with an assignment under a covering letter dated October 21, 2005 requesting his execution of these documents.

The accompanying declaration of Alan Israel sets forth the facts and circumstances by which Mr. Sugliani confirmed receipt of the application, declaration and power of attorney along with the assignment several times, but refused to execute these documents.

Hence, under the provisions of Rule 47(a), application is hereby made for the patent on behalf of the non-signing inventor, Mr. Sugliani.

This petition is accompanied by:

1. The Declaration of Alan Israel, including proof of all the pertinent facts and the last known address of the non-signing inventor.
2. Declaration and Power of Attorney signed by the other inventors.
3. The Rule 17(h) fee of \$130.00.
4. Petition is hereby made for a four-month extension of the period to respond to the outstanding Notice of Missing Parts Action to February 12, 2007. A check in the amount of \$1,590.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of this response, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

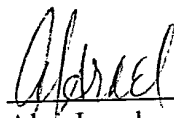
Attorneys for Applicant(s)

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Alan Israel

Reg. No. 27,564

02/16/2007 MKAYPAGH 00000012 10554193

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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of : Simone SUGLIANI, et al.
Serial No. : 10/554,193
Deposited : October 21, 2005
For : COUNTER-PUMPED DISTRIBUTED RAMAN
AMPLIFICATION IN WAVELENGTH DIVISION
MULTIPLEX OPTICAL COMMUNICATION SYSTEMS

DECLARATION UNDER RULE 47 (a)

MS: PCT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Alan ISRAEL, declare:

1. I am the attorney of record in this application. My Registration No.
is 27,564.

2. On October 21, 2005, Paula Clarke, Administrative Assistant for the
assignee, sent the application with an attached declaration and power of attorney, along

with an assignment to Mr. Simone SUGLIANI by courier addressed to his home at Via S. Alessandro 162, I-24122 Bergamo, Italy.

3. Also enclosed is a copy of a printout from the courier, DHL, showing that the letter from Mrs. Clarke was delivered and signed for by Mr. Sugliani on October 24, 2005.

4. Also enclosed is a copy of an email from Mrs. Clarke to Mr. Sugliani dated November 24, 2005 giving a reminder for the forms to be signed and returned.

5. Also enclosed is a copy of a letter from Mrs. Clarke to Mr. Sugliani dated January 10, 2006 again asking for the attached declaration and assignment to be signed and returned.

6. Also enclosed is a copy of a printout from the courier, DHL, showing that the letter of January 10, 2006 was delivered and signed for by Mr. Sugliani on January 11, 2006.

7. Also enclosed is a copy of a letter from Mrs. Clarke to Mr. Sugliani dated April 25, 2006 again sending the declaration and assignment.

8. Also enclosed is a copy of a printout from the courier DHL confirming delivery on April 26, 2006.

9. Also enclosed is a copy of a letter sent to Mr. Michele Rossi of Marconi S.p.A. dated October 11, 2006 requesting his assistance in getting the documents signed by Mr. Sugliani.

10. Also enclosed is a copy of an email to Mr. Rossi dated October 25, 2006 with revised documents attached after receipt of Mr. Sugliani's new address, namely c/o Federico, via Zanardi No. 438, cap 40131 Bologna, Italy.

11. Mr. Sugliani has not yet responded to our requests to sign the declaration and assignment forms.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Alan ISRAEL

Dated: February 12, 2007